



U.S. Department of Justice

Immigration and Naturalization Service

OFFICE OF ADMINISTRATIVE APPEALS
425 Eye Street N.W.
ULLB, 3rd Floor
Washington, D.C. 20536

File:

Date:

APR 12 2000

IN RE:

Petitioner:

Applicant:

Application:

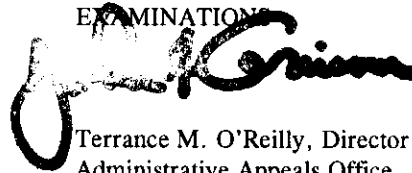
IN BEHALF OF APPLICANT:

Public Copy

INSTRUCTIONS:

This is the decision in your case. All documents have been returned to the office which originally decided your case. Any further inquiry must be made to that office.

FOR THE ASSOCIATE COMMISSIONER,
EXAMINATION


Terrance M. O'Reilly, Director
Administrative Appeals Office

will
prevent clearly unwarranted
invasion of personal privacy

DISCUSSION: The petition for a nonimmigrant worker was filed as an application for a change of the applicant's status in the United States to that of an E-2 Treaty Investor, pursuant to 8 C.F.R. 248.3(a).

The petition was denied by the Director, Texas Service Center, who incorrectly advised the applicant that the decision could be appealed to the Associate Commissioner for Examinations. An appeal was subsequently filed. The appeal will be rejected.

The regulation at 8 C.F.R. 248.3(g) states:

Denial of application. When the application is denied, the applicant shall be notified of the decision and the reasons for the denial. There is no appeal from the denial of the application under this chapter.

ORDER: The appeal is rejected.